[redacted]

# [redacted] (195 ) Department.

Ms **SERIES**

**G.O. No.** 4454

**Dated** 12-12-1952

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## [Despatch Abstract.]

MOTOR VEHICLES - Rules - Amendment to certain rules - Draft published.

GOVERNMENT OF MADRAS.

ABSTRACT.

MOTOR VEHICLES - Rules - Amendments to certain rules - Draft published.

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HOME DEPARTMENT.

G.O.Ms.No.4454. Dated 12-12-1952.

Read the following:-

From the Secretary, Central Road Traffic Board, No.15580/E2/52 dated 25-1-1952 and 8-4-1952.
From the Secretary, Central Road Traffic Board, No.3931/E1/52 dated 2-2-1952, 26-4-1952 and 3-7-1952.

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O R D E R :-

The following notification will be published in the Fort St. George Gazette:-

NOTIFICATION.

The following draft of certain amendments to the Madras Motor Vehicles Rules, 1940, published with Home Department Notification No.357, dated the 29th March 1940, at pages 1-40 of the Fort St. George Gazette Extraordinary, dated the 30th March 1940, as subsequently amended, which it is proposed to make in exercise of the powers conferred by sections 21 and 68 of the Motor Vehicles Act, 1939 (Central Act IV of 1939), is hereby published for the information of all persons likely to be affected thereby, as required by section 133(1) of said Act.

Notice is hereby given that the draft will be taken into consideration on or after the 12th January 1953 and that any objection or suggestion which may be received from any person with respect thereto before that date will be considered by the Government of Madras.

DRAFT AMENDMENTS

In the said rules

(1) for rule 18, the following rule shall be substituted namely:-

"18. An appeal under rule 17 shall be preferred within thirty days of the date of receipt of the order of refusal by the person aggrieved".

(2) rules 134-E(4), 136-A and 140-E (iii) shall be omitted

(3) for clause (xi) of rule 134-A, the following clause shall be substituted, namely:-

"(xi) power under section 60 of the Act to suspend a permit and the power under section 63(3) read with section 60 of the Act to suspend counter signatures of permits";

(4) in rule 140-A(v), after the words "Authorities" in the penultimate sentence, the words "or their secretaries under the delegated powers" shall be inserted;

(5) for rules 147 and 148, the following rules shall be substituted, namely:-

p.t.o

"147. An appeal under section 64 of the Act against an order of the Road Traffic Board or against an order of the secretary of the Board, shall lie to the Central Board within thirty days of the date of receipt of the order appealed against;

Appeal to Central Board.

Provided that if any doubt arises as to the date of receipt of the order by the person aggrieved, the decision of the Central Board shall be final.

Provided further that where an appeal is presented within thirty days of the date of receipt by the person aggrieved of the order appealed against, but is returned by the Central Board for re-presentation in the prescribed manner and if such appeal is re-presented in the manner prescribed and within the date, if any, specified by the Central Board for the re-presentation of the appeal, it shall be deemed to have been presented within the prescribed time for the purpose of this rule.

148. An appeal under section 64 of the Act against an original order of the Central Board or against an order of the Secretary of that Board, shall lie to the Government within thirty days of the date of receipt by the person aggrieved of the order appealed against:

Appeal to Government.

Provided that if any doubt arises as to the date of receipt of the order by the person aggrieved the decision of the Government shall be final.

Provided further that where an appeal is presented within thirty days of the date of receipt of the order appealed against, but is returned by the Government for re-presentation in the prescribed manner, and if such appeal is re-presented in the manner prescribed and within the date, if any, specified by the Government for the representation of the appeal, it shall be deemed to have been presented within the prescribed time for the purpose of this rule";

(6) in rule 148-B, for the words "within thirty days of the date of despatch to the person aggrieved", the words "within thirty days of the date of receipt by the person aggrieved" and for the word "the date of despatch of the order or proceedings to the person aggrieved", the words "the date of receipt of the order or proceedings by the person aggrieved" shall be substituted;

(7) in rule 184, for the words "from the date of despatch of the order requiring the production of the records" the words "from the date of receipt by him of the order requiring the production of the records" shall be substituted;

(8) in the first proviso to rule 185, for the words "from the date of despatch of the order requiring the production of therecords-" the words "from the date of receipt by him of the order requiring the production of the records" shall be substituted.

2. The Government direct that the notices and decisions of the Transport Authorities should be sent by registered post to the parties concerned if it is not possible to serve them in person. In cases where the concerned authority is satisfied that the notice should not be served on the party or parties due to wilful evasion or other fault on the part of the party or parties, it may after recording its reasons, proceed to dispose of the case.

(BY ORDER OF THE GOVERNOR OF MADRAS)

V.K.DHARMA RAO MUDALIAR,
Addl.Deputy Secretary to Government.

18.7.

p.t.o

To The Secretary, Central Road Traffic Board, Madras
" " Commissioner of Police, Madras.
" " Inspector-General of Police, Madras.
" " Regional Transport Officers, Rajahmundry, Cuddapah, Madurai, Tiruchirapalli, Vellore, Coimbatore, Anantapur, Kozhikode, Salem, Tirunelveli, Vijawada and Visakhaptanam, Nellore, Tanjore, Ootacamund, Mangalore, Ramanathapuram (at Madurai)
" " Superintendent, Government Press, for publication of the notification in the Fort St. George Gazette.
" All District Collectors except the Collector of Madras.
" The Chairman, Madras Motor Vehicles and Allied Merchants' Association, 1/151, Mount Road, Madras.
" " Secretary, Indian Roads & Transport Developement Association, Post Box No.1270, Madras.
" " Convenor, Madras Provincial Motor Union Congress, Vijawada.
Copy to the Government of India, Ministry of Transport, NEW DELHI. (5 copies)
" " " Secretary, Madras Buds Passengers' Association, Sevashram, Big Street, Triplicane, Madras.
" " " The Secretariat Library, Madras.
" " " The Legal Department

/ TRUE COPY /

R. Nagarajan 23.2.88

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MADRAS RECORD OFFICE.

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